

REMARKS/ARGUMENTS

Claims 1-26 are pending in this Application.

Claims 1, 12, and 19-26 are currently amended. Applicants respectfully submit that support for the claim amendments can be found throughout the specification and the drawings.

Claims 1-26 remain pending in the Application after entry of this Amendment. No new matter has been entered.

In the Office Action, claims 1-3, 7, 9-14, 18-20, 21, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over non-patent literature entitled “Implementing Oracle Workflow” (hereinafter “Mathieson”) in view of U.S Patent Application Publication 2004/0187127 (hereinafter “Gondi”). Claims 4-6, 15-17, and 22-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matheison, in view of Gondi, in further view of U.S. Patent Application No. 2001/0002485 (hereinafter “Bisbee”), and further view of non-patent literature entitled “Integrating XML and Database” (hereinafter “Bertino”). Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Matheison, in view of Gondi, in view of Bisbee, and in view of Official Notice. Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Matheison, in view of Gondi, in view of Bisbee, and in view of Official Notice.

Claim Rejections Under 35 U.S. C. § 103(a)

Applicants respectfully traverse the rejections to claims 1-26 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Mathieson, Gondi, Bisbee, Bertino, and the Official Notice. The Office Action alleges that claimed invention is directed to obvious subject matter, in that the combination of Mathieson, Gondi, Bisbee, Bertino, and the Official Notice expressly or impliedly disclose or suggest the claimed invention. The Office Action further alleges that one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of Mathieson, Gondi, Bisbee, Bertino, and the Official Notice.

Applicants, however, respectfully submit that a prima facie case of obviousness has not been established by the evidence presented in the Office Action. As reiterated by the Supreme Court in KSR International Co. v. Teleflex Inc. (KSR), 550 U.S. ___, 82 USPQ2d 1385 (2007), the framework for the objective analysis for determining obviousness under 35 U.S.C. § 103 is stated in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966). The factual inquiries enunciated by the Court are as follows:

- (A) Determining the scope and content of the prior art;
- (B) Ascertaining the differences between the claimed invention and the prior art;

and

- (C) Resolving the level of ordinary skill in the pertinent art.

To reach a proper determination under 35 U.S.C. § 103(a), the Examiner must step backward in time and into the shoes worn by the hypothetical “person of ordinary skill in the art” when the invention was unknown and just before it was made. In view of all factual information, the Examiner must then make a determination whether the claimed invention “as a whole” would have been obvious at that time to that person. (M.P.E.P. § 2142).

Applicants respectfully submit that Mathieson, Gondi, Bisbee, Bertino, and the Official Notice, either individually or in combination, fail to disclose one or more of the claim limitations recited in each of claims 1-26. These differences, along with other difference, establish that the subject matter as a whole of claims 1-26 would not have been obvious at the time of invention to a person of ordinary skill in the art.

For example, amended claim 1 recites creating an electronic record at a computer system from intercepted transaction data prior to committing a database transaction to a database. As recited in amended claim 1, the transaction data is intercepted from the database transaction with the computer system prior to the database transaction being committed to the database based on an event monitored by the computer system that is triggered by the database transaction. Applicants respectfully submit that Mathieson and Gondi, either individually or in combination, fail to disclose the above recited feature of amended claim 1.

The Office Action alleges that Gondi discloses that transaction messages may be put in a queue until the messages are committed. However, Gondi does not disclose that

transaction data from the transaction messages is intercepted as recited in amended claim 1 based on an event monitored by the first computer system that is triggered by the database transaction. The Office Action attempts to rely on Mathieson to cure the deficiencies of Gondi. Yet, Mathieson fails to disclose that transaction data is intercepted as recited in amended claim 1 based on an event monitored by the first computer system that is triggered by the database transaction. Applicants respectfully disagree with the conclusion in the Office Action that FIG. 1 of Mathieson discloses a record that contains transaction data intercepted from a database transaction. FIG. 1 of Mathieson merely shows a user entering data into fields or forms of a graphical user interface. At that moment of time in Mathieson, one of ordinary skill in the art would understand that a database transaction as recited in amended claim 1 has not occurred nor has the data entered into the forms of the GUI been intercepted from a database transaction. Furthermore, Mathieson fails to disclose any of the data entered into the GUI (even if intercepted using the teaching of Gondi) are intercepted based on an event monitored by the first computer system that is triggered by the database transaction as recited in amended claim 1.

Accordingly, Applicants respectfully submit that Mathieson and Gondi, either individually or in combination, fail to disclose at least the above discussed claim limitation as recited in amended claim 1. Applicants further respectfully submit that Mathieson and Gondi, either individually or in combination, fail to disclose the feature of “executing a rule associated with the event at the first computer system to determine whether an electronic signature is required to connote review of the electronic record created from the intercepted transaction data in order to commit the database transaction to the database.” The Office Action merely concludes that at each decision point in FIGS. 3 and 5 of Mathieson a rule is executed. Mathieson does not disclose that a rule associated with the particular event monitored by the first computer system that is triggered by the database transaction. Gondi further fails to cure the deficiencies of Mathieson.

Thus, Applicants respectfully submit that amended claim 1 is allowable over the cited references because Mathieson and Gondi fail to disclose the claimed invention.

Applicants respectfully submit that independent claims 12, 19, and 26 are allowable for at least a similar rationale as discussed above for the allowability of claim 1, and

others. Applicants respectfully submit that dependent claims 2-11, 13-18, and 20-25 that depend directly and/or indirectly from the independent claims 1, 12, and 19 respectively, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Unless otherwise specified, amendments to the claims are made for the purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof.

While Applicants do not necessarily agree with the prior art rejections set forth in the Office Action, these amendments may be made to expedite issuance of the Application. Applicants reserve the right to pursue claims to subject matter similar to those pending before the present Amendment in co-pending or subsequent applications.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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